

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**GRANT WALKER, et al., on behalf of
themselves and all others similarly situated,**

Plaintiffs,

v.

**MONSANTO COMPANY PENSION PLAN,
et al.**

Defendants.

Case No. 04-cv-436-DRH

**GLYNN DAVIS, et al., individually
and on behalf of all those similarly situated,**

Plaintiffs,

v.

SOLUTIA, INC. EMPLOYEES' PENSION PLAN,

Defendant.

Case No. 05-cv-736-DRH

**FRED DONALDSON, et al., individually
and on behalf of all those similarly situated,**

Plaintiffs,

v.

PHARMACIA PENSION PLAN et al.,

Defendants.

Case No. 06-cv-03-DRH

**JUANITA HAMMOND, on behalf of
herself and all others similarly situated**

Plaintiff,

v.

**SOLUTIA INC. EMPLOYEES'
PENSION PLAN,**

Defendant.

Case No. 06-CV-139-DRH

ORDER

HERNDON, District Judge:

This matter is before the Court on the Amended Motion to Consolidate Cases (Doc. 134) brought by Defendants Monsanto Company and Monsanto Company Pension Plan. Defendants' motion, which is unopposed, requests consolidation of this action with three related actions currently pending in this Court, to wit: *Hammond v. Solutia, Inc., Employees' Pension Plan*, Civil No. 06-139-DRH (S.D. Ill. filed Feb. 15, 2006); *Davis v. Solutia, Inc., Employees' Pension Plan*, Civil No. 05-736-DRH (S.D. Ill. filed Oct. 12, 2005); and *Donaldson v. Pharmacia Pension Plan*, Civil No. 06-3-DRH (S.D. Ill. filed Jan. 3, 2006).

The Court concludes in its discretion that all four actions present common questions of law and fact and that consolidation will promote judicial economy and the convenience of the parties. **See Fed. R. Civ. P. 42(a); *Fleishman v. Prudential-Bache Sec., Inc.*, 103 F.R.D. 623, 624-25 (E.D. Wis. 1984);**

***Bradley v. Soo Line R.R. Co.*, 88 F.R.D. 307, 309-10 (E.D. Wis. 1980).**

Accordingly, Defendants' request for consolidation is **GRANTED**. The Court **ADOPTS** the "Joint Report of the Parties and Proposed Scheduling and Discovery Order for a Consolidated Case (Class Action)" submitted to the Court by the parties to the consolidated actions on August 17, 2006, and it is hereby **FURTHER ORDERED** as follows:

1. The *Hammond*, *Davis*, and *Donaldson* cases are consolidated pursuant to **Rule 42** under the lowest docket number, *Walker*, 04-cv-436-DRH. All future filings in this consolidated matter shall be filed on CM/ECF under case number 04-cv-436-DRH. The schedule set forth herein for consolidated proceedings supercedes all existing and pending deadlines and scheduling orders in effect in all of the above captioned cases.

2. Plaintiffs shall file a Consolidated Amended Complaint by September 4, 2006.

3. Defendants shall file Answers or Motions to the Consolidated Amended Complaint by September 25, 2006.

4. The depositions of class representatives who have not previously been deposed shall be taken by October 1, 2006.

5. Plaintiff(s)' Motion for Class Certification and Memorandum in Support shall be filed on or before October 23, 2006.

6. Defendant(s)' Response to the Motion for Class Certification shall

be filed on or before November 22 2006.

7. Plaintiff(s)' Reply in Support of Class Certification shall be filed on or before December 6, 2006.

8. The Class Certification hearing shall be as scheduled by the Court. The parties agree that the case will be ready for a class certification hearing by December 6, 2006.

9. After Class Certification is decided, the parties shall meet and confer again and the Court shall enter a second scheduling and discovery order to govern the remainder of the case.

IT IS SO ORDERED.

Signed this 1st day of September, 2006.

/s/ David RHerndon
United States District Judge